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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA) CASE NO. CR 14 0644 EMC
14 v.)
15 JACK PARKE DAILY,) STIPULATION AND [PROPOSED] ORDER
16 Defendant.) EXTENDING BRIEFING SCHEDULE ON
MOTION TO SUPPRESS

17

18 **STIPULATION**

19 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

20 1. The parties appeared before the Court on May 20, 2015 at 2:30 p.m. for a status hearing.

21 Mr. Daily was present and represented by Assistant Federal Defender Gabriela Bischof. Assistant
22 United States Attorney Sarah Hawkins appeared for the Government. Ms. Bischof indicated that she
23 would be filing a Motion to Suppress.

24 2. Accordingly, the Court set a briefing schedule. The defendant was to file the Motion to
25 Suppress on July 8, 2015. The government was to file a response on July 22, 2015, and the defense was
26 to file a reply on July 29, 2015. The Court set a hearing date of August 18, 2015.

27 3. The defendant's Motion to Suppress was timely filed on July 8, 2015.

28 4. Richard Russo, the officer who made the observations that led to the application for and

1 issuance of a search warrant of the defendant's residence is now retired and will be unable to accurately
2 and completely prepare his declaration by the date of July 22, 2015. Mr. Russo's declaration is essential
3 to the government's response. He has requested an additional week in order to prepare his declaration.

4 5. The defendant does not object to continuing the filing date of the government's response
5 for one week to July 29, 2015, provided that the filing date for their reply be extended one week to
6 August 5, 2015.

7 6. Accordingly, the parties respectfully request that the court grant the request to extend the
8 government's filing date to July 29, 2015 and the filing date of the defendant's reply to August 5, 2015.

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10 IT IS SO STIPULATED.

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12 DATED: July 20, 2015

MELINDA HAAG
United States Attorney

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14 _____/s/
15 SARAH HAWKINS
16 Assistant United States Attorney

17 DATED: July 20, 2015

18 _____/s/
19 GABRIELA BISCHOF
20 Counsel for the Defendant

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27 [PROPOSED] ORDER
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1 Based upon the above-described Stipulation, THE COURT grants the request of the parties and
2 ORDERS THAT:

- 3 1. The filing date for the government's response to the defendant's Motion to Suppress be
4 extended to July 29, 2015.
5 2. The filing date for the defendant's reply to the government's response to the defendant's
6 Motion to Suppress be extended to August 5, 2015.

7 IT IS SO ORDERED.

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9 DATED: 7/20/15
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